

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING

Jake Stanley DeWilde, Individually and as
Trustee of the DEWILDE ARMS TRUST,

Plaintiff,

vs.

Attorney General of the United States;
Director of the Bureau of Alcohol,
Tobacco, Firearms, and Explosives,

Defendants.

Case No. 1:23-CV-00003-SWS

U.S. DISTRICT COURT
DISTRICT OF WYOMING
2023 MAR 17 PM 3:01
MARGARET BOTKINS, CLERK
CASPER

**ORDER DENYING AS MOOT DEFENDANTS' MOTION TO DISMISS (ECF
No. 9)**

This matter comes before the Court on Defendants' *Motion to Dismiss the Complaint* (ECF No. 9). Defendants moved to dismiss on March 13, 2023. (ECF No. 9.) Plaintiff moved to amend the Complaint on March 15, 2023. (ECF No. 11.) Plaintiff's motion to amend has been granted. (ECF No. 13).

Plaintiff's Amended Complaint supersedes his original complaint and therefore, is the operative pleading. *See Mink v. Suthers*, 482 F.3d 1244, 1254 (10th Cir. 2007) (noting "an amended complaint supercedes an original complaint and renders the original complaint without legal effect" (internal quotation marks and citation omitted)). Therefore, **IT IS HEREBY ORDERED** that Defendants' *Motion to Dismiss* (ECF No. 9) is **DENIED AS MOOT** without prejudice to refiling.

Dated this 17th day of March, 2023.

BY THE COURT:



Scott W. Skavdahl
Chief United States District Judge